

Message Text

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63

ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 INR-10 NSAE-00 RSC-01 L-03

TRSE-00 JUSE-00 RSR-01 /041 W

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FM AMCONSUL HAMILTON

TO SECSTATE WASHDC 1279

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E. O. 11652: N/ A

TAGS: ETRN, BD

SUBJ: GOB LAWS REGARDING FALSIFICATION US CUSTOMS DECLARATION

REF: TELCON ORTMAN- MCCUE MAY 30

1. GOB ATTORNEY GENERAL HAS ADVISED US THERE NOW NO LAW UNDER WHICH GOB COULD PROSECUTE PERSON MAKING FALSE DECLARATION TO US CUSTOMS OFFICER. THERE NO PROVISION IN LAW SUCH AS USC TITLE 18 SECTION 546.
2. THERE IS A PROVISION IN BERMUDA LAW THAT DOES

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PROVIDE FOR PROSECUTION AS CRIMINAL OFFENSE ANY PERSON MAKING A FALSE DECLARATION TO ANY OFFICIAL WHO UNDER BERMUDA LAW IS AUTHORIZED TO TAKE SUCH A DECLARATION. ATTORNEY GENERALS OFFICE FURTHER ADVISES THAT IT MIGHT BE POSSIBLE TO AMEND BERMUDA LAW SO THAT PERHAPS US CUSTOMS OFFICER COULD BE AUTHORIZED UNDER BERMUDA LAW TO ACCEPT DECLARATION. IN WHICH CASE MAKER OF FALSE DECLARATION COULD BE PROSECUTED UNDER BERMUDA LAW.

3. ATTORNEY GENERAL POINTS OUT FAILURE TO DECLARE DRUGS OR GUNS ON DEPARTURE BERMUDA WOULD BE IN UNCLASSIFIED

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VIOLATION OF BERMUDA LAW SINCE POSSESSION EITHER
ONE IS IN VIOLATION OF BERMUDA LAW.

4. PLEASE ADVISE WHETHER THE DEPARTMENT WISHES
THE POSSIBILITY PARA 2 EXPLORED FURTHER.

MCCUE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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